

S/N FILED HEREWITH

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CONRAD ET AL.	Examiner:	UNKNOWN
Serial No.:	FILED HEREWITH	Group Art Unit:	UNKNOWN
Filed:	FILED HEREWITH	Docket No.:	13033.12US01
Title:	AIRWAY IMPLANT		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV347836338US

Date of Deposit: October 31, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Teresa Anderson
Name: Teresa Anderson

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

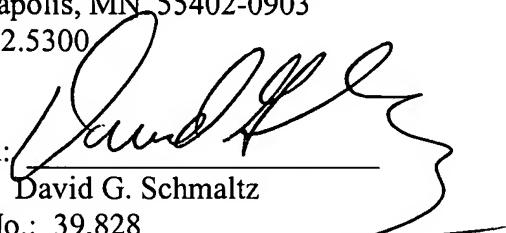
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.



Dated: 10/31/03

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

Signed: 
Name: David G. Schmaltz
Reg. No.: 39,828
DGS/aml

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)			Docket Number: 13033.12US01	Application Number: FILED HEREWITH
			Applicant: CONRAD ET AL.	
			Filing Date: FILED HEREWITH	Group Art Unit: UNKNOWN

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,843,021	12/1/1998	EDWARDS ET AL.			
	5,988,171	11/23/1999	SOHN ET AL.			
	6,161,541	12/19/2000	WOODSON			
	6,431,174	8/13/2002	KNUDSON ET AL.			
	6,523,542	2/25/2003	METZGER ET AL.			
	6,250,307	6/26/2003	CONRAD ET AL.			
	6,601,584	8/5/2003	KNUDSON ET AL.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
		Eisle et al., "Direct Hypoglossal Nerve Stimulation in Obstructive Sleep Apnea", <u>Arch. Otolaryngol. Head Neck Surg.</u> , Vol. 123, pp. 57 – 61 (1997)				
		Miller et al., "Role of the Tongue Base Suspension Suture with the Repose System Bone Screw in the Multilevel Surgical Management of Obstructive Sleep Apnea", <u>Otolaryngol. Head Neck Surg.</u> , Vol. 126, pp. 392 – 398 (2002)				
		Powell et al., "Radiofrequency Tongue Base Reduction in Sleep-Disordered Breathing: A pilot study", <u>Otolaryngol. Head Neck Surg.</u> , Vol. 120, pp. 656 – 664 (1999)				
		Powell et al., "Radiofrequency Volumetric Reduction of the Tongue – A Porcine Pilot Study for the Treatment of Obstructive Sleep Apnea Syndrome", <u>Chest</u> , Vol. 111, pp. 1348 – 1355 (1997)				

23552 PATENT TRADEMARK OFFICE		DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.		